



KEYHEALTH MEDICAL SCHEME

PROMOTION OF ACCESS TO INFORMATION MANUAL

Prepared in terms of Section 51 of the Promotion of Access to Information Act, No. 2 of 2000 (“**PAIA**”) read with and as amended by the Protection of Personal Information Act, No 4 of 2013 (“**POPIA**”)

COPYRIGHT RESERVED

This document contains proprietary information and all rights to the contents are reserved. The information contained in this document may not be copied, disclosed or used in any manner whatsoever without the prior written consent of KeyHealth. Any unauthorised reproduction or disclosure of the information contained in this document will constitute a breach of intellectual property rights and copyright infringement and render the person liable under criminal law. Such infringement may result in damages to KeyHealth and render the person liable under civil law.

Although care was taken to ensure the accuracy of the information contained in this document, KeyHealth does not accept responsibility for any act, omission, loss, damage or the consequences thereof occasioned by the reliance by any person on the contents thereof.

Table of Contents

1.	INTRODUCTION	3
2.	PURPOSE OF PAIA	3
3.	INFORMATION MANUAL	4
4.	KEYHEALTH GENERAL INFORMATION	4
5.	CONTACT INFORMATION TO BE USED BY REQUESTERS	5
6.	THE INFORMATION REGULATOR'S GUIDE AND CONTACT DETAILS	5
7.	RECORDS AVAILABLE WITHOUT HAVING TO REQUEST ACCESS IN TERMS OF PAIA (SECTION 52(2) OF PAIA)	5
8.	RECORDS HELD IN ACCORDANCE WITH OTHER LEGISLATION (SECTION 51(1)(d) OF PAIA)	6
9.	SUBJECT CATEGORIES OF RECORDS	7
9.1.	Personnel records	7
9.2.	Member-related records	7
9.3.	Records relating to KeyHealth	8
9.4.	Other records	8
10.	PROCESSING OF PERSONAL INFORMATION	8
11.	CATEGORIES OF DATA SUBJECTS	8
12.	PURPOSE OF PROCESSING	9
13.	RECIPIENTS TO WHOM PERSONAL INFORMATION MAY BE SUPPLIED	11
14.	PLANNED TRANSBORDER FLOWS OF PERSONAL INFORMATION	12
15.	SECURITY MEASURES	12
16.	GROUNDINGS FOR REFUSAL OF ACCESS TO RECORDS	12
17.	THE REQUEST PROCEDURES	14
17.1.	Access procedure	14
17.2.	Form of request	14
17.3.	Fees	15
17.4.	Processing of requests	16
18.	REMEDIES AVAILABLE WHEN ACCESS TO A RECORD IS REFUSED	17
	Annexure A – Prescribed Form	18
	Annexure B – Prescribed Fees	23

1. INTRODUCTION

KeyHealth is a private body and operates as a medical aid scheme. It is duly licensed by the Council for Medical Schemes in terms of the Medical Schemes Act (Act 131 of 1998). Its registration number is 1087. KeyHealth is not incorporated as a company but derives its authority to transact business from the statute.

KeyHealth has a formidable footprint in the medical schemes industry. Through various amalgamations, including Pretmed, Global Health and Munimed, the Scheme boasts a proud lineage dating back to the beginning of the 20th century. It currently is the second-oldest medical scheme in South Africa. The Scheme originally focused on employees in the local government sector. It decided on diversifying its market with a fresh approach and redesigned benefits to accommodate the broader healthcare market. The Scheme is one of only five accredited schemes to operate within local government in South Africa.

KeyHealth employs more than 60 persons in professional, risk management and administrative roles. KeyHealth outsourced the scheme administration to PPS Healthcare Administrators, a wholly-owned subsidiary of the Professional Provident Society (PPS). It is contracted to more than 130 brokers that markets its products and service members. It also has its own distribution channel, consisting of a call centre as well as direct sales agents, the latter also responsible for client and broker liaison.

As of 1 April 2023, the Scheme membership stands at more than 35 000 principal members with a total of approximately 75 000 lives covered by the Scheme. KeyHealth provides a diverse range of products designed to cater for many different medical needs – real value for money for discerning individuals and families that know what they need. KeyHealth exemplifies longevity, dependability and stability.

2. PURPOSE OF PAIA

The purpose of PAIA is to promote the right of access to information and to foster a culture of transparency and accountability by giving the right to information that is required for the exercise or protection of any right and to actively promote a society in which the people of South Africa have effective access to information to enable them to exercise and protect their rights.

In terms of section 51 of PAIA, as amended by POPIA, all private bodies are required to compile an information manual and make the manual available to the public to inform the procedure which the public must follow, when submitting a request to access the private bodies records.

PAIA grants a requester access to records of a private body if the record is required for the exercise or protection of any rights. If a public body lodges a request, the public body must be acting in the public interest.

3. INFORMATION MANUAL

KeyHealth is defined as a private body in terms of PAIA. PAIA requires that an information manual be compiled with by private bodies that provide information on the type and the categories of records held by a private body.

KeyHealth hereby publishes its information manual (this “**Manual**”) in terms of PAIA. This Manual is prepared in compliance with the provisions of Section 51 of PAIA, as amended by POPIA.

The purpose of this Manual is to facilitate requests for access to records of KeyHealth. This Manual is not exhaustive of, nor does it comprehensively deal with every procedure provided for in PAIA. Requesters are advised to familiarise themselves with the provision of PAIA before making any request to KeyHealth in terms of PAIA.

Nothing stated in this Manual shall limit, or constitute a waiver of, any of the rights of the requester or of KeyHealth in terms of PAIA. KeyHealth makes no representation and gives no undertaking that the information in this Manual or any information provided by KeyHealth to requesters thereof is complete or accurate, or that such information is fit for any purpose. All users of any such information shall use such information entirely at their own risk and KeyHealth shall not be liable for any loss, expense, liability or claims howsoever arising, resulting from any use of this Manual or any information provided by KeyHealth or from error therein.

All users irrevocably agree to submit exclusively to the laws of the Republic of South Africa and to the exclusive jurisdiction of the courts of the Republic of South Africa in respect of any dispute arising out of the use of this Manual or of any information provided by KeyHealth.

This Manual is available for public inspection at the physical address of KeyHealth as set out in paragraph 4 below and is also available on our website at www.keyhealthmedical.co.za. A copy of our Manual can be provided, on request, to any person (upon payment of a prescribed fee, where applicable).

4. KEYHEALTH GENERAL INFORMATION

Name of Body:	KeyHealth Medical Scheme
Registration Number:	1097/CMS
VAT Registration Number:	4360109971
Registered Address:	86 Koranna Avenue, Doringkloof, 0157
Physical Address:	86 Koranna Avenue, Doringkloof, 0157
Postal Address:	P.O. Box 14145, Lyttleton, 0140
Telephone Number:	012 667 2250
Fax Number:	012 667 2301
Website:	www.keyhealthmedical.co.za

5. CONTACT INFORMATION TO BE USED BY REQUESTERS

Information Officer:	Patrick Masobe
Deputy Information Officer:	Frederick Arni Janse van Rensburg
Physical Address:	86 Koranna Avenue, Doringkloof, 0157
Postal Address:	P.O. Box 14145, Lyttleton, 0140
Telephone Number:	012 667 2250
Fax Number:	012 667 2301
Email Address:	POIqueries@keymed.co.za

6. THE INFORMATION REGULATOR'S GUIDE AND CONTACT DETAILS

An Official Guide has been compiled by the Information Regulator (established in terms of POPIA), to assist a person wishing to exercise a right of access to information in terms of PAIA and POPIA. This Guide is made available by the Information Regulator and is available from the Information Regulator in the manner prescribed.

The contact details of the Information Regulator are:

Physical Address:	The Information Regulator (South Africa) JD House 27 Siemens Street Braamfontein Johannesburg 2001
Postal Address:	P.O Box 31533 Braamfontein Johannesburg 2017
Telephone Number:	(010) 023 5207
Fax Number:	(011) 403 0668
Email Address (General):	infoereg@justice.gov.za
Email Address (Complaints):	PAIAComplaints.IR@justice.gov.za
Website:	https://www.justice.gov.za/infoereg

7. RECORDS AVAILABLE WITHOUT HAVING TO REQUEST ACCESS IN TERMS OF PAIA (SECTION 52(2) OF PAIA)

A private body may, on a voluntary basis, make available a description of categories of records

that are automatically available without a person having to request access in terms of PAIA.

The following records are held by KeyHealth and will be made available to the following persons without having to request access to such records in terms of PAIA:

- 7.1. **Employees** can make a request for any document relating to his or her personal employee records through the Information Officer if the employee is unable to access such record through the Human Resources Department.
- 7.2. The **general public and all employees** may request through the Information Officer at the contact details listed under paragraph 5 of this Manual:
 - 7.2.1. Incorporation documents;
 - 7.2.2. Marketing brochures;
 - 7.2.3. Media releases; and
 - 7.2.4. This Manual.

8. RECORDS HELD IN ACCORDANCE WITH OTHER LEGISLATION (SECTION 51(1)(d) OF PAIA)

KeyHealth holds and retains records in accordance with a number of statutes, which includes, *inter alia*, the following:

- Medical Schemes Act, No. 131 of 1998;
- Labour Relations Act, No. 66 of 1995;
- Basic Conditions of Employment Act, No. 75 of 1997;
- Employment Equity Act, No. 55 of 1998;
- Skills Development Act, No. 97 of 1998;
- Skills Development Levies Act, No. 9 of 1999;
- Occupational Health and Safety Act, No. 85 of 1993;
- Compensation for Occupational Injuries and Diseases Act, No. 130 of 1993;
- Companies Act, No. 71 of 2008;
- Competition Act, No. 89 of 1998;
- Consumer Protection Act, No. 68 of 2008;
- Unemployment Insurance Act, No. 63 of 2001;
- Unemployment Contributions Act, No. 4 of 2002;
- Income Tax Act, No. 58 of 1962;
- Value-Added Tax Act, No. 89 of 1991;
- Broad-Based Black Economic Empowerment Act, No. 53 of 2003;

- Electronic Communications and Transactions Act, No. 25 of 2002;
- Electronic Communications Act, No. 36 of 2005;
- National Credit Act, No. 34 of 2005;
- National Payment System Act, No. 78 of 1998;
- Protection of Personal Information Act, No. 4 of 2013;
- Protected Disclosures Act, No. 26 of 2000;
- Trademarks Act, No. 194 of 1993;
- Financial Advisory and Intermediary Services Act, No. 37 of 2002;
- Prevention of Organised Crime Act, No. 121 of 1998;
- Financial Intelligence Centre Act, No 38 of 2001;
- Protection of the Constitutional Democracy against Terrorism Act, No 33 of 2004;
- Pension Funds Act, No. 24 of 1956; and
- Financial Sector Regulation Act, No. 9 of 2017.

**Note: This is not an exhaustive list of legislation that may require KeyHealth to keep records.*

9. SUBJECT CATEGORIES OF RECORDS

The Records held by KeyHealth are classified into the categories as set out below.

The inclusion of a record below does not imply that the record will be made available in terms of PAIA. **Access may be refused if it would contravene the provisions of the PAIA or POPIA.**

9.1. Personnel records

- Personnel records provided to KeyHealth by employees;
- Records provided to KeyHealth by individuals other than employees in respect of employees;
- Correspondence in respect of KeyHealth employees;
- Conditions of employment and other employee-related contractual records;
- Internal evaluation records and other internal records;
- Training schedules and material.

9.2. Member-related records

- Member and Dependant Information;
- Member and Dependant records and files;

- Member Agreements;
- Member and Dependant records or information provided by a third party.

9.3. Records relating to KeyHealth

- Financial records;
- Operational records;
- Databases;
- Information Technology records;
- Marketing records;
- Internal correspondence;
- Product-related records;
- Statistical records;
- Statutory records;
- Statutory compliance records;
- Company secretarial records; and
- Records held by officials of KeyHealth.

9.4. Other records

- Employee records, customer records and records relating to KeyHealth itself, which are held by another party as opposed to being held by KeyHealth;
- Records held by KeyHealth pertaining to other parties including, without limitation, financial records, correspondence, contractual records, records provided by other parties and records that third parties have provided which relate to contractors and suppliers; and
- Records pertaining to other parties including, without limitation, contractors, suppliers, associated companies, joint venture companies and service providers (alternatively, such other parties may possess records that can be said to belong to KeyHealth).

10. PROCESSING OF PERSONAL INFORMATION

As a South African body, all data processing activities are primarily regulated by POPIA as amended from time to time. KeyHealth's Privacy Notice, as published on our website (and as amended or updated from time to time), sets out how KeyHealth processes and protects personal information. For full details regarding how KeyHealth processes personal information, please refer to our Privacy Notice.

11. CATEGORIES OF DATA SUBJECTS

KeyHealth holds personal information and records on various data subject categories, which

include but are not limited to the following Data Subject categories:

- Website users;
- Scheme members and their dependants;
- Brokers;
- Healthcare service providers;
- Suppliers, service providers;
- Employees, consultants and job candidates.

(***Note:** *this is not an exhaustive list*)

12. PURPOSE OF PROCESSING

KeyHealth may collect, use, share and/or generally process personal information (including, special personal information and children's personal information, where applicable) for the following purposes:

- To provide a data subject with our products and/or services;
- To conclude or perform a contract with a data subject, or to take any take steps linked to or necessary for the conclusion or performance of a contract with a data subject;
- To process and assess a data subject's membership application and that data subject's (and his/her dependants') eligibility for membership, including to verify the accuracy, correctness or completeness of any information provided to us or our appointed Medical Scheme Administrator while processing a membership application or providing services related to the data subject's membership;
- For the administration of a member's membership, health plan and benefits;
- To process member and/or dependant's instructions or requests;
- To provide, or manage the provision of, managed care services to members and/or dependants (where applicable);
- To communicate relevant personal information to healthcare service providers to enable members and/or dependants to access benefits in terms of our Scheme Rules;
- To assess and make payment of claims;
- To comply with all legislative and legal requirements placed on us, which may include, but not be limited to, legislative reporting and document retention periods and where the law requires that information be notified to third parties (such as government institutions);
- Where applicable, for general marketing and communication purposes, where the data subject is an existing member and/or dependant of KeyHealth or where we have received the data subject's consent to receive these communications, and in compliance with the provisions of POPIA. Data subjects will be given the opportunity to unsubscribe from any marketing communications, general communications and/or newsletters at any time, and with each communication received;

- To improve our services, meet our members' needs and manage our relationship with our members and/or their dependants, for example by asking for feedback on the services received from us or through the completion of a customer service satisfaction survey or through research and statistical analyses of aggregated member information;
- To perform general administrative, operational, management and performance functions and activities relating to the operation and running of our business and of our website, and for the purposes of managing our legal and operational affairs;
- To collect contributions and other money owed to us;
- For credit checking or credit reporting purposes (through a credit bureau), in order to assist KeyHealth's decision to provide services to a data subject or to report on any slow or non-payment of your accounts with KeyHealth to any third party;
- Where necessary, for any purposes which are in our, a data subject, or a third party's legitimate interest;
- For any purposes which are required or authorised by law;
- To respond to requests by government, a court of law, or law enforcement authorities conducting an investigation;
- For the purposes of underwriting and risk profiling, assessment and management;
- For statistical, analytical, research and historical purposes;
- For reporting to authorised persons and authorities, for example the Board of Trustees and the Council for Medical Schemes;
- Where a data subject is applying for a vacancy, to process the data subject's application throughout our recruitment process;
- For the purposes of investigating and reporting suspicious behaviour or fraudulent conduct to appropriate persons and bodies;
- In relation to the use of our website, to identify, investigate and attend to any technical issues, support and user queries;
- For systems testing, maintenance and development;
- To detect, prevent or deal with any actual or alleged fraud, security breach, or the abuse, misuse or unauthorised use of the website and/or contravention of this Privacy Notice;
- For any other lawful purpose which directly relates to membership with KeyHealth, or which is authorised in terms of the law or our Scheme Rules.

*(*Note: this is not an exhaustive list)*

KeyHealth will not use personal information for commercial purposes. We may however collect, use, share and/or generally process information or data that has been de-identified and/or aggregated, for example statistical or demographic data, for any purpose. Aggregated or de-identified data is not considered personal information in terms of POPIA, as this information is de-identified and does not, directly or indirectly, reveal the data subject's identity.

13. RECIPIENTS TO WHOM PERSONAL INFORMATION MAY BE SUPPLIED

KeyHealth values and respects the confidentiality and privacy of the personal information that data subjects entrust us with. KeyHealth will not share or disclose personal information to anyone except as provided in our Privacy Notice and/or any contracts or terms and conditions of Service concluded with us.

Generally, KeyHealth may share a data subject's personal information (including special personal information and children's personal information, where applicable) in the following instances:

- If it is necessary in order to provide a data subject with a service that the data subject has requested or contracted us to provide or source on the data subject's behalf;
- If it is in the data subject's legitimate interest;
- If it is necessary for the proper performance of a public law duty by a public body;
- If it is required or authorised by law;
- If the data subject has provided us with consent;
- With our contracted Medical Scheme Administrator, for the purposes of managing and administering a data subject's membership and benefits with the Scheme, and for the processing of the data subject's claims with us;
- With our employees, who may require that information to perform their functions and duties;
- With healthcare service providers to enable our members and/or their dependants to access benefits in terms of our Scheme Rules;
- With a member's broker, should the broker request personal information about a member. In these instances, we will only provide information that enables the relevant broker to provide the member with sound advice, such as the member's option type and contact details. We will not share any information about the member and/or dependants' medical conditions with the relevant broker unless the member and/or dependants have given express permission to do so;
- Where the data subject is a dependant, with the principal member, to ensure the efficient administration of the dependant's membership and benefits. This will include the dependant's health information, where relevant;
- Where a member is a member of an employer group, membership information may be shared with the employer. This will be limited to information that is relevant to the member and dependants' application or information that is required for the ongoing servicing of membership, but will not include any health information unless the member and/or member's dependants have given us permission to do so;
- With our contracted service providers (including our suppliers, subcontractors, partners, agents, auditors, insurance and risk advisors and our professional advisors), in order to provide data subjects with our services, for reporting purposes or generally as required for the administration and management of our business. In these instances, we will ensure that the necessary security safeguards and confidentiality undertakings

are in place to secure the data subject's personal information. We will only allow third parties to process a data subject's personal information for a specific purpose, in accordance with our instructions and in accordance with the requirements of POPIA and any other applicable data privacy laws;

- With credit rating agencies, including personal information about any judgment or default history, should there be any default on payment to us;
- With regulators and government authorities in connection with our compliance procedures and legal obligations;
- With a purchaser or prospective purchaser of all or part of our assets or our business or the shares/interest in our Scheme, and their professional advisers, in connection with the purchase;
- With a third party, in order to enforce or defend our rights, or to address financial or reputational risks.

(Note: this is not an exhaustive list)

14. PLANNED TRANSBORDER FLOWS OF PERSONAL INFORMATION

While KeyHealth endeavours, as far as reasonably possible, to store personal information locally in South Africa, we may be required to transfer to and/or store personal information on servers located outside of South Africa. KeyHealth may also have third-party service providers that are located outside of South Africa, which may result in personal information being transferred and processed outside of South Africa. Given the nature of KeyHealth's business, some of this personal information may be health information or other categories of special personal information, and some of this information may include the personal information of children.

KeyHealth will take reasonable and appropriate measures to ensure that any personal information, special personal information or children's information that is transferred outside of the borders of South Africa is transferred in compliance with the requirements of POPIA and that an adequate level of privacy protection is in place between us and these third-party service providers.

15. SECURITY MEASURES

Securing the personal information that a data subject gives us, or that we receive about a data subject, is a priority for KeyHealth. KeyHealth takes appropriate and reasonable technical and organisational security measures to protect the personal information that we process from destruction and unauthorised access, in accordance with the requirements of POPIA.

16. GROUNDS FOR REFUSAL OF ACCESS TO RECORDS

PAIA provides for grounds on which access to records may be refused. KeyHealth may refuse a request for access to information on the following basis:

- 16.1. Mandatory protection of information in terms of the Medical Schemes Act;

- 16.2. Mandatory protection of information of returns, reports, submissions, statistics, etc. that relate to the commercial relationship between KeyHealth and any administrator;
- 16.3. Mandatory protection of information relating to submissions, reports, returns, correspondence, etc. between KeyHealth and any regulator (including, but not limited to, the Council for Medical Schemes);
- 16.4. Mandatory protection of the privacy of a third party who is a natural person which would involve the unreasonable disclosure of personal information of that natural person, including a deceased person;
- 16.5. Mandatory protection of the commercial information of a third party where the requested record or records contain:
 - 16.5.1. trade secrets of that third party;
 - 16.5.2. financial, commercial, scientific or technical information (the disclosure of which could likely cause harm to the financial or commercial interests of that party); and
 - 16.5.3. information disclosed in confidence by a third party to KeyHealth, if the disclosure of such information could put that third party at a disadvantage in commercial or other negotiations or could prejudice that third party in commercial competition;
- 16.6. Mandatory protection of confidential information of third parties if it is protected in terms of any agreement or legislation;
- 16.7. Mandatory protection of the life or physical safety of individuals and/or the protection or security of any property;
- 16.8. Mandatory protection of records which would be regarded as privileged in legal proceedings;
- 16.9. KeyHealth's commercial activities which may include, without limitation:
 - 16.9.1. trade secrets;
 - 16.9.2. financial, commercial, scientific or technical information (the disclosure of which could likely harm the financial or commercial interests of KeyHealth);
 - 16.9.3. information which, if disclosed, could put KeyHealth at a disadvantage in contractual or other negotiations or could prejudice KeyHealth in commercial competition;
 - 16.9.4. computer programs and related information technology software which is owned by KeyHealth and which is protected by copyright;
- 16.10. Mandatory protection of research information compiled by KeyHealth or a third party if its disclosure would disclose the identity of the institution, the researcher or the subject

matter of the research and would place the research at a serious disadvantage;

- 16.11. Requests for information that are clearly frivolous or vexatious, or would involve an unreasonable diversion of resources shall be refused;
- 16.12. Generally, any other refusal prescribed or permitted in terms of PAIA;
- 16.13. Mandatory protection of personal information to comply with the provisions of POPIA;
- 16.14. If a record cannot be found or does not exist, the Information Officer shall notify the requester in accordance with the provisions of PAIA;
- 16.15. Any other reason that is permitted or prescribed in terms of any other applicable law.

17. THE REQUEST PROCEDURES

17.1. Access procedure

A requester is any person making a request for access to a record of, or held by, KeyHealth. The requester is entitled to request access to information, including information pertaining to third parties, but KeyHealth is not obliged to grant such access. Apart from the fact that access to a record can be refused based on the grounds set out in paragraph 16 above, in order to successfully access information, the requester must fulfil the prerequisite requirements for access in terms of PAIA, including the payment of the fees as prescribed by PAIA (where applicable).

17.2. Form of request

- 17.2.1. The requester must complete the prescribed Form C, annexed hereto as Annexure A ("**Access Request Form**"), or such form as amended or updated from time to time in terms of PAIA, to make the request for access to a record.
- 17.2.2. The Access Request Form must be completed and sent to the Information Officer at the postal or physical address, telefax or electronic mail address set out paragraph 5 of this Manual and pay the applicable request fee (and a deposit, if applicable).
- 17.2.3. The requester must provide sufficient detail on the Access Request Form to enable the Information Officer to identify the record and the requester. The requester should also indicate which form of access is required.
- 17.2.4. The requester will be informed in writing whether access has been granted or denied. If, in addition, the requester requires the reasons for the decision in any other manner, he/she should also state the manner and the necessary particulars to be so informed.
- 17.2.5. To facilitate a timely response to requests for access to a record, all requesters should take note of the following when completing the Access Request Form:

- 17.2.5.1. The Access Request Form must be comprehensively completed;
- 17.2.5.2. Proof of identity is required to authenticate the identity of the requester. Therefore, in addition to the access request form, requesters will be required to supply a copy of their identification document;
- 17.2.5.3. Every applicable question must be answered. If a question does not apply "N/A" should be stated in response to that question. If there is nothing to disclose in reply to a particular question "Nil" should be stated in response to that question;
- 17.2.6. The requester must also state that he or she requires the information in order to exercise or protect a right, and clearly must state the nature of the right that is sought to be exercised or to be protected and provide an explanation as to why the requested record is required for the exercise or protection of that right.
- 17.2.7. If a request is made on behalf of another person, the requester must submit proof of the capacity in which the requester is making the request to the satisfaction of the Information Officer.
- 17.2.8. If the requester is unable to complete the prescribed form because of illiteracy or disability, such person may make the request orally to the Information Officer, in accordance with the provisions of PAIA.

17.3. Fees

- 17.3.1. Under Section 54 of PAIA, private bodies are entitled to levy a prescribed request fee to a requester before the private body may process the request for information or records. Fees levied are published by the Minister or the Information Regulator (as the case may be) and the fees as at the date of this Manual are displayed in Annexure B. These may be updated from time to time and the fees that apply at the time of the request will be levied (which may not necessarily be those recorded in Annexure B).
- 17.3.2. PAIA provides for two types of fees, namely:
 - 17.3.2.1. A request fee, which will be a standard fee; and
 - 17.3.2.2. An access fee, which must be calculated by taking into account reproduction costs, search and preparation time and cost, as well as postal costs.
- 17.3.3. A requester who seeks access to a record containing personal information about that requester is not required to pay the request fee. Every other requester who is not a personal requester must pay the required fees as set out in Annexure B of this Manual.

- 17.3.4. When the request is received by the Information Officer, the Information Officer will notify the requester (other than a personal requester) by notice, requiring the requester to pay the prescribed request fee (if any) before further processing the request as set out in Annexure B of this Manual (or as amended from time to time in terms of PAIA). Note that the requester may lodge a complaint to the Information Regulator or an application with a court against the tender or payment of the request fee.
- 17.3.5. Payment details can be obtained from the Information Officer and must be made by a direct deposit or electronic funds transfer. Proof of payment must be supplied when the Access Request Form is submitted.
- 17.3.6. The Information Officer will withhold a record until the requester has paid the fees as indicated.
- 17.3.7. If the request is granted then a further access fee as set out in Annexure B to this Manual (or as amended from time to time in terms of PAIA) must be paid for the search, production, preparation and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure, including making arrangements to make it available in the requested form. Note that the requester may lodge a complaint to the Information Regulator or an application with a court against the tender or payment of the access fee.
- 17.3.8. If the search for, and the preparation of, the record for disclosure would, in the opinion of the Information Officer, require more than 6 hours, the requester may be required to pay as a deposit, one-third of the access fee (the fee which will be payable if the request is granted) or such deposit as may be prescribed by PAIA from time to time. Note that the requester may lodge a complaint to the Information Regulator or an application with a court against the tender or payment of the deposit.
- 17.3.9. If a deposit has been paid in respect of a request for access which is subsequently refused, then the Information Officer must refund the deposit to the requester. The requester must pay the prescribed fee before any processing, or any further processing, can take place.

17.4. Processing of requests

- 17.4.1. The Information Officer will process the request within thirty (30) days of receipt of the request unless the request contains considerations that are of such a nature that an extension of the thirty (30) day time limit is necessitated. For example, the time period may be extended if the request is for a large amount of information, or the request requires KeyHealth to search for information held at another office of the Group.
- 17.4.2. Where an extension of the thirty (30) day time limit is required, the requester shall be notified in writing by the Information Officer together with reasons explaining why such extension is necessitated. The requester may lodge a

complaint to the Information Regulator or an application with a court against the extension.

- 17.4.3. The requester shall be informed whether access will be granted or whether it is refused. If, in addition, the requester requires reasons to be provided for the decision, this requirement must be stated by the requester with reference to the manner in which and the particulars are so required.

18. REMEDIES AVAILABLE WHEN ACCESS TO A RECORD IS REFUSED

18.1. Internal remedies

KeyHealth does not have internal appeal procedures. The decision made by the Information Officer is final. Requesters who are dissatisfied with a decision of the Information Officer will have to exercise the available external remedies at their disposal.

18.2. External remedies

All complaints, by a requester or a third party, can be made to the Information Regulator or a court, in the manner prescribed below.

18.2.1. Complaints to the Information Regulator:

- 18.2.1.1. The requester or third party, as the case may be, may submit a complaint in writing to the Information Regulator, within 180 days of the decision, alleging that the decision was not in compliance with the provisions of PAIA (or such other period as may be prescribed by PAIA from time to time).
- 18.2.1.2. The Information Regulator will investigate the complaint and reach a decision - which may include a decision to investigate, to take no further action or to refer the complaint to the Enforcement Committee established in terms of POPIA.
- 18.2.1.3. The Information Regulator may serve an enforcement notice confirming, amending, or setting aside the impugned decision, which must be accompanied by reasons.

18.2.2. Application to court:

- 18.2.2.1. An application to court may be brought in the ordinary course. For purposes of PAIA, any reference to an application to court includes an application to a Magistrates' Court.



Annexure A – Prescribed Form

REQUEST FOR ACCESS TO RECORD OF KEYHEALTH MEDICAL SCHEME Section 53(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)

A. PARTICULARS OF PRIVATE BODY

The Information Officer:

Postal Address:

Telephone Number:

E-mail:

B. PARTICULARS OF PERSON REQUESTING ACCESS TO THE RECORD

- (a) The particulars of the person who requests access to the record must be given below (original ID document must be produced).*
- (b) The address and/or fax number in the Republic to which the information is to be sent must be given.*
- (c) Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and surname: _____

Identity number: _____

Postal address: _____

Fax number: _____ Telephone number: _____

E-mail address: _____

Capacity in which request is made, when made on behalf of another person:

C. PARTICULARS OF PERSON ON WHOSE BEHALF REQUEST IS MADE

This section must be completed ONLY if a request for information is made on behalf of another person (original ID of requester and patient required as well as proof of consent of patient)

Full names and surname: _____

Identity number: _____

D. PARTICULARS OF RECORD

(a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
*(b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.***

1. **Description of record or relevant part of the record:** _____

2. **Reference number, if available:** _____

3. **Any further particulars of record:** _____

E. FEES

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a **request fee** has been paid.*
- (b) You will be notified of the amount required to be paid as the request fee.*
- (c) The **fee payable for access** to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.*
- (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.*

Reason for exemption from payment of fees:

F. FORM OF ACCESS TO RECORD

<i>If you are prevented by a disability to read, view, or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.</i>	
Disability:	Form in which record is required:
<i>Mark the appropriate box with an X.</i>	
NOTES:	
<i>(a) Compliance with your request in the specified form may depend on the form in which the record is available.</i>	
<i>(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.</i>	
<i>(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.</i>	

1. If the record is in written or printed form:					
	Copy of record*		Inspection of record		
2. If record consists of visual images: (This includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
	View the images		Copy of the images*		Transcription of the images
3. If record consists of recorded words or information which can be reproduced in sound:					
	Listen to the soundtrack (audio cassette)		Transcription of soundtrack* (written or printed document)		
4. If record is held on computer or in an electronic or machine-readable form:					
	Printed copy of record*		Printed copy of information derived from the record*		Copy in computer-readable form* (compact disc)
*If you requested a copy or transcript of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.				YES	NO

G. PARTICULARS OF RIGHT TO BE EXERCISED OR PROTECTED

*If the provided space is inadequate, please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.***

4. Indicate which right is to be exercised or protected.

5. Explain why the record requested is required for the exercise or protection of the aforementioned right.

H. NOTICE OF DECISION REGARDING REQUEST FOR ACCESS

You will be notified in writing whether your request has been approved/denied. If you wish to be informed in another manner, please specify the manner, and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at _____ this _____ day of _____ 20_____

**SIGNATURE OF REQUESTER / PERSON
ON WHOSE BEHALF REQUEST IS MADE**



Annexure B – Prescribed Fees

KeyHealth is a registered VAT vendor under the Value Added Tax Act, 1991 and will add VAT to all the below-mentioned fees.

Payment of fees is regulated in terms of Section 54 of the Promotion of Access to Information Act.

The fees set out in this Manual are for information purposes. These prescribed fees may be amended or updated from time to time, by law or regulation.

Request Fees

Where a requester submits a request for access to information held by KeyHealth regarding a person other than the requester himself/herself, the request fee is payable up-front before KeyHealth will further process the request received.

The “**request fee**” payable by a requester, other than a personal requester, referred to in section 54(1) of PAIA is R50,00 (or such adjusted amount as may be prescribed by PAIA from time to time).

Access and Reproduction Fees

An access fee is payable in all instances where a request for access to information is granted, except in those instances where payment of an access fee is specially excluded in terms of PAIA or an exclusion is determined by the Minister in terms of section 54(8) of PAIA.

Where KeyHealth has voluntarily provided the Minister with a list of categories of records that will automatically be made available to any person requesting access thereto, the only charge that may be levied for obtaining such records will be a fee for the reproduction of the record in question.

The fee for a copy of the Manual as contemplated in regulation 9(2)(c) is R1.10 for every photocopy of an A4-size page or part thereof.

The fees for reproduction referred to in regulation 11(1) are as follows:

For every photocopy of an A4-size page or part thereof	R1.10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
For a computer-readable form	R70.00
For a transcription of visual images, for an A4-size part or part thereof	R40.00
For a copy of visual images	R60.00
For a transcription of an audio record, for an A4-size part or part thereof	R20.00
For a copy of an audio record	R30.00

The access fees payable by a requester referred to in regulation 11(3) is as follows:

For every photocopy of an A4-size page or part thereof	R1.10
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.75
For a computer-readable form	R70.00
For a transcription of visual images, for an A4-size part or part thereof	R40.00
For a copy of visual images	R60.00
For a transcription of an audio record, for an A4-size part or part thereof	R20.00
For a copy of an audio record	R30.00

To search for and prepare the record for disclosure, R30,00 for each hour or part of an hour reasonably required for such search and preparation.

Deposits:

Where KeyHealth receives a request for access to information held on a person other than the requester himself/herself and the Information Officer upon receipt of the request is of the opinion that the preparation of the required record of disclosure will take more than 6 hours, a deposit is payable to the requester. The amount of the deposit will be equal to one-third (1/3) of the amount of the applicable access fee.

The actual postage is payable when a copy of a record must be posted to a requester.